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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
) CR No. S-96-350 WBS
Plaintiff,)
)
v.) **STIPULATION AND ORDER**
)
JOHN THAT LUONG, et al.,)
)
Defendants.)
_____)

The United States of America, through its counsels of record, McGregor W. Scott, United States Attorney for the Eastern District of California, and William S. Wong, Assistant United States Attorney; and defendant Mady Chan, Pro Se and with his standby counsel, Timothy Warriner, Esq.; defendant Huy Chi Luong, through his counsel John Balazs, Esq.; and defendant John That Luong, through his counsel, Richard Mazer, Esq., stipulate and agree to the following revised motion schedule:

1. Government's response to defendants' motions to be filed on December 30, 2005;
2. Defendants' reply, if any, to be filed by January 11, 2006; and
3. Hearing on the motions January 25, 2006, at 10:00 a.m.

1 The government needs additional time to research and prepare
2 its responses to the defendants' motions. During the last few
3 weeks, counsel for the government has had a pinched nerve in his
4 neck resulting in pain radiating to his left shoulder requiring time
5 on sick leave. Furthermore, counsel for the government is currently
6 preparing for a three-four week jury trial in the matter of United
7 States v. Slater, et al., CR-S-03-0371 MCE. Accordingly, the
8 parties stipulate that time be excluded for the pendency of these
9 motions pursuant to 18 U.S.C. §3161(h)(1)(F) - delay resulting from
10 any pretrial motion and 18 U.S.C. §3161(h)(8)(B)(ii) - additional
11 time needed to adequately prepare for pretrial proceedings.

12 Respectfully submitted,

13 MCGREGOR W. SCOTT
14 United States Attorney

15 DATED: November 16, 2005 By: /s/ William S. Wong
16 WILLIAM S. WONG
17 Assistant U.S. Attorney
Attorneys for Plaintiff

18 DATED: November 16, 2005 By: /s/ Richard Mazer
19 Richard Mazer, Esq., Attorney
for Defendant John That Luong

20 DATED: November 15, 2005 By: /s/ John Balazs
21 John Balazs, Esq., Attorney
For Defendant Huy Chi Luong

22 DATED: November 15, 2005 By: /s/ Timothy Warriner
23 Timothy Warriner, Esq., Standby
Advisory Attorney for Defendant
Mady Chan

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IT IS SO ORDERED.

ORDER

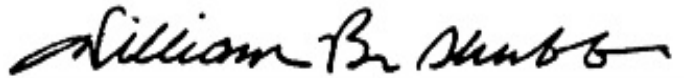
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DATED: November 18, 2005

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WILLIAM B. SHUBB

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UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion to be competent to serve papers.

That on November ____, 2005, she served a copy of the attached COURT **STIPULATION AND ORDER** by placing said copy in United States mail to the persons hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the outgoing United States mail box at 801 I Street, 10th Floor, Sacramento, California.

Addressee:

Mady Chan, X-2405573
Sacramento County Jail
651 I Street
Sacramento, CA 95814

LORI WHITMER